

# Weipa Town Authority Subordinate Local Law No. 1 (Administration) 2018

## Contents

---

<b>Part 1</b>	<b>Preliminary.....</b>	<b>3</b>
	1 Short title.....	3
	2 Purpose and how it is to be achieved.....	3
	3 Authorising local law.....	3
	4 Definitions.....	3
<b>Part 2</b>	<b>Approvals for prescribed activities .....</b>	<b>3</b>
	5 Prescribed activities that do not require an approval—Authorising local law, s 6(3).....	3
	6 Categories of prescribed activities for the purposes of maximum penalties—Authorising local law, s 6(4).....	3
	7 Approvals that are non-transferable—Authorising local law, s 15(2) .....	3
	8 Prescribed complementary accommodation—Authorising local law, schedule 14	
	9 State-controlled roads to which the local law applies—Authorising local law, schedule 1 .....	4
	10 Public place activities that are prescribed activities—Authorising local law, schedule 2, part 2 .....	4
	11 Matters regarding prescribed activities—Authorising local law, ss 6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a) .....	4
<b>Schedule 1</b>	<b>Prescribed activities that do not require an approval under the authorising local law.....</b>	<b>6</b>
<b>Schedule 2</b>	<b>Categories of prescribed activities for the purposes of maximum penalties .....</b>	<b>7</b>
<b>Schedule 3</b>	<b>Categories of approval that are non-transferable .....</b>	<b>8</b>
<b>Schedule 4</b>	<b>Prescribed complementary accommodation.....</b>	<b>9</b>
<b>Schedule 5</b>	<b>State-controlled roads to which the local law applies .....</b>	<b>10</b>
<b>Schedule 6</b>	<b>Public place activities that are prescribed activities .....</b>	<b>11</b>
<b>Schedule 7</b>	<b>Alteration or improvement to local government controlled areas and roads.....</b>	<b>12</b>
<b>Schedule 8</b>	<b>Commercial use of local government controlled areas and roads</b>	<b>15</b>
<b>Schedule 9</b>	<b>Establishment or occupation of a temporary home.....</b>	<b>17</b>
<b>Schedule 10</b>	<b>Installation of advertising devices.....</b>	<b>19</b>
<b>Schedule 11</b>	<b>Keeping of animals .....</b>	<b>22</b>
<b>Schedule 12</b>	<b>Operation of camping grounds.....</b>	<b>24</b>
<b>Schedule 13</b>	<b>Operation of cane railways.....</b>	<b>26</b>

---

<b>Schedule 14 Operation of caravan parks.....</b>	<b>27</b>
<b>Schedule 15 Operation of cemeteries .....</b>	<b>29</b>
<b>Schedule 16 Operation of public swimming pools .....</b>	<b>30</b>
<b>Schedule 17 Operation of shared facility accommodation .....</b>	<b>32</b>
<b>Schedule 18 Operation of temporary entertainment events .....</b>	<b>33</b>
<b>Schedule 19 Undertaking regulated activities regarding human remains— (a) disturbance of human remains buried outside a cemetery.....</b>	<b>34</b>
<b>Schedule 20 Undertaking regulated activities regarding human remains— (b) burial or disposal of human remains outside a cemetery .....</b>	<b>35</b>
<b>Schedule 21 Undertaking regulated activities regarding human remains— (c) disturbance of human remains in a local government cemetery..</b>	<b>36</b>
<b>Schedule 22 Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road 37</b>	
<b>Schedule 23 Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials .....</b>	<b>39</b>
<b>Schedule 24 Undertaking regulated activities on local government controlled areas and roads— (c) holding of a public place activity prescribed by subordinate local law.....</b>	<b>41</b>
<b>Schedule 25 Bringing or driving motor vehicles onto local government controlled areas .....</b>	<b>43</b>
<b>Schedule 26 Bringing or driving prohibited vehicles onto motor vehicle access areas 45</b>	
<b>Schedule 27 Use of bathing reserves for training, competitions etc .....</b>	<b>46</b>
<b>Schedule 28 Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee.....</b>	<b>47</b>
<b>Schedule 29 Parking in a loading zone by displaying a commercial vehicle identification label.....</b>	<b>48</b>
<b>Schedule 30 Carrying out works on a road or interfering with a road or its operation.....</b>	<b>49</b>

## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1 (Administration) 2018*.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2018*, which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
  - (a) various matters regarding the granting of approvals for prescribed activities; and
  - (b) further specification of the definitions relevant to various prescribed activities.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2018* (the *authorising local law*).

### 4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

## Part 2 Approvals for prescribed activities

### 5 Prescribed activities that do not require an approval—Authorising local law, s 6(3)

For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the prescribed activities listed in schedule 1.

### 6 Categories of prescribed activities for the purposes of maximum penalties—Authorising local law, s 6(4)

For section 6(4) of the authorising local law, it is declared that—

- (1) the prescribed activities listed in part 1 of schedule 2 are category 1 activities; and
- (2) the prescribed activities listed in part 2 of schedule 2 are category 2 activities; and
- (3) the prescribed activities listed in part 3 of schedule 2 are category 3 activities.

### 7 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 3 are non-transferable.

**8 Prescribed complementary accommodation—Authorising local law, schedule 1**

For the purposes of the definition of *complementary accommodation* in schedule 1 of the authorising local law, the accommodation listed in schedule 4 is prescribed as appropriate for caravan parks.

**9 State-controlled roads to which the local law applies—Authorising local law, schedule 1**

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 5 are roads to which the authorising local law applies unless otherwise provided in the local law.

**10 Public place activities that are prescribed activities—Authorising local law, schedule 2, part 2**

For the purposes of paragraph (c) of the definition of *regulated activities on local government controlled areas and roads* in part 2 of schedule 2 of the authorising local law, the holding of a public place activity listed in schedule 6 is a prescribed activity.

**11 Matters regarding prescribed activities—Authorising local law, ss 6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)**

- (1) For each prescribed activity, a schedule prescribes the matters specified in this section for the prescribed activity named in section 1 of the schedule.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to an activity stated in section 2 of the schedule relating to the prescribed activity.
- (3) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of the schedule relating to the prescribed activity.
- (4) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for a prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of the schedule relating to the prescribed activity.
- (5) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for a prescribed activity are stated in section 5 of the schedule relating to the prescribed activity.
- (6) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for a prescribed activity are stated in section 6 of the schedule relating to the prescribed activity.
- (7) For section 13(a) of the authorising local law, the term of an approval for a prescribed activity is provided for in section 7 of the schedule relating to the prescribed activity.
- (8) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for a prescribed activity is provided for in section 8 of the schedule relating to the prescribed activity.
- (9) For section 12 of the authorising local law, in Table 1 of the schedule relating to a prescribed activity—

- (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
- (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
- (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

**Schedule 1      Prescribed activities that do not require an  
approval under the authorising local law**

Section 5

*This Schedule has been intentionally left blank.*

## **Schedule 2      Categories of prescribed activities for the purposes of maximum penalties**

Section 6

### **Part 1      Category 1 activities**

- 1      alteration or improvement to local government controlled areas and roads
- 2      commercial use of local government controlled areas and roads
- 3      installation of advertising devices
- 4      keeping of animals
- 5      undertaking regulated activities regarding human remains
- 6      undertaking regulated activities on local government controlled areas and roads
- 7      use of bathing reserves for training, competitions etc

### **Part 2      Category 2 activities**

- 8      establishment or occupation of a temporary home
- 9      operation of camping grounds
- 10     operation of caravan parks
- 11     operation of cemeteries
- 12     operation of public swimming pools
- 13     operation of shared facility accommodation
- 14     operation of temporary entertainment events

### **Part 3      Category 3 activities**

- 15     operation of cane railways

## **Schedule 3      Categories of approval that are non-transferable**

### Section 7

1. Approvals to operate a temporary entertainment event
2. Approvals to operate a caravan park
3. Approvals to operate a camping ground
4. Approvals to operate a public swimming pool
5. Approval to have 3 dogs
6. Approvals to operate of accommodation with shared facilities

## **Schedule 4      Prescribed complementary accommodation**

### **Section 8**

1. Registered caravans
2. Demountable units
3. Relocatable home

**Schedule 5      State-controlled roads to which the local law applies**

Section 9

All State controlled roads within the local government area.

---

## **Schedule 6      Public place activities that are prescribed activities**

### Section 10

- (a) Film and television production activities for which a development application is not required under the local government's planning scheme
- (b) An invitation-only ceremony, party or celebration attended by more than 30 people
- (c) A cake stall, sausage sizzle, car wash or similar fundraiser held on no more than 1 day
- (d) A training event held on no more than 1 day
- (e) A training event held on more than 1 day without payment of a fee
- (f) A display, demonstration or information booth
- (g) A right of occupation and use of a specified part of a park or reserve by a sporting association

## **Schedule 7      Alteration or improvement to local government controlled areas and roads**

Section 11

### **1      Prescribed activity**

Alteration or improvement to local government controlled areas and roads

### **2      Activities that do not require approval under the authorising local law**

An approval under the authorising local law is not required for vegetation maintenance by a person of a nature strip immediately adjacent to the person's property provided the maintenance is not likely to create a risk to the safety of pedestrian and vehicular traffic.

In this section—

*vegetation maintenance* means mowing, slashing or edging of grass, weeding or watering.

### **3      Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (1) full details of the proposed alteration or improvement including plans and specifications; and
- (2) details of all building work and other work to be carried out under the approval; and
- (3) details of the time and place at which the prescribed activity will be undertaken; and
- (4) the impact, if any, of the prescribed activity on pedestrian or vehicular traffic; and
- (5) the materials, equipment and vehicles to be used in the undertaking of the prescribed activity; and
- (6) plans and specifications detailing:
  - (a) the relevant part of the local government controlled area or road that is to be used for the undertaking of the prescribed activity; and
  - (b) the proposed location of each structure and item of equipment to be used in the undertaking of the prescribed activity; and
  - (c) the type and location of any utility, service or infrastructure to be used in the undertaking of the prescribed activity; and
- (7) if requested, a traffic management plan which details:
  - (a) anticipated pedestrian and vehicular traffic which will be created by the undertaking of the prescribed activity; and
  - (b) anticipated impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken; and
  - (c) how the applicant will minimise the impact of the undertaking of the

prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken; and

- (8) if requested, a report, study or certification from a suitably qualified person about:
  - (a) the undertaking of the prescribed activity generally; or
  - (b) a specific aspect of the undertaking of the prescribed activity.

#### **4 Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that the activity would not:

- (1) result in:
  - (a) material risk to human health or safety;
  - (b) property damage;
  - (c) unreasonable nuisance;
  - (d) obstruction of vehicular or pedestrian traffic;
  - (e) environmental harm;
  - (f) environmental nuisance; or
- (2) unduly interfere with the usual use or amenity of the area in which the prescribed activity is to be undertaken

#### **5 Conditions that must be imposed on approvals**

This section has been intentionally left blank.

#### **6 Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (1) require compliance with specified safety requirements; and
- (2) regulate the time within which the alteration or approval must be carried out; and
- (3) specify standards with which the alteration or improvement must comply; and
- (4) require the approval holder to:
  - (a) carry out reasonable additional work such as earthwork and drainage work; and
  - (b) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the alteration or improvement; and
  - (c) give the local government an indemnity for loss or damage as a result of the works carried out under the approval; and
  - (d) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
  - (e) remove a structure erected or installed, under the approval, at the end of a stated period unless otherwise agreed by the local government; and

- (f) exhibit specified signage warning about the conduct of the prescribed activity; and
- (g) if the undertaking of the prescribed activity results in damage or loss of amenity to a local government controlled area or a road, promptly rectify the damage or loss of amenity; and
- (h) lodge a security or performance bond in the amount specified in the approval.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## **Schedule 8      Commercial use of local government controlled areas and roads**

Section 11

### **1      Prescribed activity**

Commercial use of local government controlled areas and roads

### **2      Activities that do not require approval under the authorising local law**

This section has been intentionally left blank.

### **3      Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (1) details of the nature, time and place of the proposed activities; and
- (2) a plan showing the relevant part of the local government controlled area or road that is to be used for the prescribed activity; and
- (3) details of the type of signage which is intended to be displayed and the method intended to be used to ensure stability of the signage; and
- (4) evidence of any necessary statutory permit, authorisation or approval; and
- (5) details of all insurances relevant to the authority held by the person who will be undertaking the activity.

### **4      Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that the activity would not:

- (1) unduly interfere with the proper use of a road; and
- (2) cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (3) adversely affect the amenity of the surrounding area.

### **5      Conditions that must be imposed on approvals**

This section has been intentionally left blank.

### **6      Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (1) restrict activities under the approval to specified days and times; and
- (2) prohibit or limit activities under the approval during periods of poor visibility; and
- (3) limit the activities authorised by the approval to a single specified location or to a specified area; and
- (4) require the holder of the approval to display the approval in a specified position or to produce the approval for inspection on demand by an authorised person or, if the approval relates to a State-controlled road, a person authorised by the chief executive; and
- (5) require the holder of the approval to take specified measures to protect the

safety of persons who may be involved in, or affected by, the activities authorised by the approval; and

- (6) require the holder of the approval to take out insurance against personal injury or property damage resulting from activities authorised by the approval to the local government's satisfaction; and
- (7) require the holder of the approval to take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and
- (8) if the approval relates to an activity on a road, require the approval holder to indemnify the State; and
- (9) if the approval authorises the holder to use a specified part of a road for carrying on a business, require the approval holder to pay specified rental to the local government at specified intervals; and
- (10) require the holder of the approval to dispose of waste in a particular way; and
- (11) the activity must be conducted to ensure the amenity of residences or businesses in the adjacent areas are respected by:
  - (a) only being undertaken within the days and hours specified in the approval; and
  - (b) not causing a nuisance; and
  - (c) not displaying or showing offensive or discriminatory material; and
  - (d) directing amplified noise away from a noise sensitive place.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## **Schedule 9      Establishment or occupation of a temporary home**

Section 11

### **1      Prescribed activity**

Establishment or occupation of a temporary home

### **2      Activities that do not require approval under the authorising local law**

An approval under the authorising local law is not required for establishment or occupation of a temporary home:

- (1)      on a camping ground; or
- (2)      for less than two weeks.

### **3      Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (1)      a drawing showing the design and dimensions of the proposed temporary home; and
- (2)      details of the materials out of which the temporary home is (or is to be) constructed and other structural details of the temporary home; and
- (3)      details of the location of the temporary home; and
- (4)      if the applicant is not the owner of the land on which the temporary home is located the written consent of the owner; and
- (5)      any other information and materials required under local law policies.

### **4      Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that:

- (1)      the temporary home will not be occupied as a place of residence permanently or for an indefinite period; and
- (2)      the applicant proposes, within the period for which the approval is granted:
  - (a)      to erect, or convert an existing structure into, a permanent residence; or
  - (b)      to carry out building work on a permanent residence that will make the residence temporarily unfit for occupation as a place of residence; and
- (3)      an adequate source of water will be available to the proposed temporary home; and
- (4)      adequate means of waste disposal and sanitation will exist to ensure that reasonable standards of health and hygiene can be maintained.

### **5      Conditions that must be imposed on approvals**

This section has been intentionally left blank.

### **6      Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (1) regulate the location, design, dimensions, construction, and external appearance of the temporary home; and
- (2) require the provision of specified facilities for personal hygiene and sanitation; and
- (3) require the holder of the permit to provide specified equipment, or take specified action, to ensure that the temporary home is adequately supplied with water; and
- (4) regulate the disposal of waste water and refuse from the temporary home; and
- (5) require the holder of the permit to dismantle and remove the temporary home by a specified date; and
- (6) require the approval holder to keep the temporary home in good order and repair; and
- (7) require the approval holder to ensure that the home is not unsightly or unhygienic.

## **7 Term of approval**

The earliest of:

- (1) the expiry of the term specified in the approval;
- (2) permanent residence becomes fit for occupation; and
- (3) 18 months from the grant of the approval.

## **8 Term of renewal of approval**

Until the earliest of the expiry of the term specified in the approval or when the permanent residence becomes fit for occupation.

## Schedule 10 Installation of advertising devices

### Section 11

#### 1 Prescribed activity

Installation of advertising devices

#### 2 Activities that do not require approval under the authorising local law

An approval under the authorising local law is not required for

- (1) **Low impact advertising** – signs that meet the following criteria:
  - (a) home based business advertisements; and
  - (b) home activity advertisements; and
  - (c) construction advertisements with an advertisement area not exceeding 2m<sup>2</sup>; and
  - (d) public information advertisements; and
  - (e) real estate advertisements with an advertisement area not exceeding 1.5m<sup>2</sup>; and
  - (f) window advertisements; and
  - (g) bunting; and
  - (h) banners displayed on the fence of a school, religious or charitable organisation that do not exceed a certain size and are displayed for no longer than 4 weeks.
- (2) **Event Directional** - signs intended to provide directional information to motorists about the location of an event/facility or feature that meets the following criteria:
  - (a) must only be displayed 7 days prior to, and on the day or days of the event; and
  - (b) must be removed within 24 hours of the conclusion of the event; and
  - (c) a maximum of (5) five signs per each event may be displayed, unless approval for more signs has been given in writing by an authorised person for the local government; and
  - (d) each sign must have a maximum face area (0.54m<sup>2</sup> – 900mm x 600mm); and
  - (e) must not be placed on roundabouts, centre traffic islands, median strips, or any state-controlled road; and
  - (f) must not be nailed to trees or attached to road infrastructure, including traffic or road advisory signs; and
  - (g) shall be constructed to withstand consequent wind or other load.
- (3) **Garage sale** - signs that meets the following criteria:
  - (a) does not exceed 750mm x 400mm or 0.3m<sup>2</sup> in area per side;
  - (b) the number of signs must not exceed (5) per event which includes the sign erected at the property; and

- (c) signs may not be placed on roundabouts, centre traffic islands, median strips, any state-controlled road or on any road infrastructure; and
- (d) signs must not be placed on road infrastructure including traffic or advisory signs; and
- (e) signs must not be nailed to trees or other vegetation; and
- (f) only (1) sign may be placed at each intersection; and
- (4) **Election** - signs that meets the following criteria:
  - (a) only one election sign per candidate per allotment must be displayed; and
  - (b) signs must not to exceed 0.6m<sup>2</sup>; and
  - (c) signs must not be erected prior to an election date being announced; and
  - (d) signs must removed within one week after an election; and
  - (e) each candidate must pay a \$100.00 deposit to the Weipa Town Authority prior to the display of any sign which is refundable upon removal of all signs within 7 days after the election.

### **3 Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (1) details of the advertising device including the dimensions, colour, content, materials and construction; and
- (2) details of where the device is to be located and how it is to be affixed; and
- (3) where necessary, an engineer's certification of the structural adequacy of the device with reference to wind velocity loadings; and
- (4) for election signs, particulars of the signs, details of where the signs are to be located and when they will be erected and removed.

### **4 Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that:

- (1) the proposed advertising device is structurally sound; and
- (2) the device will not obstruct or distract traffic in an unsafe manner; and
- (3) the device will not unreasonably obstruct views; and
- (4) the effect on amenity will not be detrimental; and
- (5) the device is consistent with surrounding buildings and environment.

### **5 Conditions that must be imposed on approvals**

This section has been intentionally left blank.

### **6 Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (1) require the holder of the approval to maintain the advertising device in a sound

condition;

- (2) maintain public liability insurance of an amount as determined by the local government covering the activity which also indemnifies the local government in respect to any liability arising from the activity; and
- (3) provide to the local government any certificates specified in the approval, such as:
  - (a) a certificate of structural adequacy from a qualified engineer; and
  - (b) a certificate demonstrating no conflict with underground or overground services; and
  - (c) public liability insurance certificate of currency; and
- (4) upon cessation of the business or activity to which the advertisement refers, the advertisement must be removed and the site made good within thirty (30) days of the last day on which the business or activity operated; and
- (5) the illumination of an advertisement must not cause any nuisance or distraction to traffic.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## Schedule 11 Keeping of animals

### Section 11

#### 1 Prescribed activity

Keeping of animals

#### 2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank.

#### 3 Documents and materials that must accompany applications for approval

- (1) Applications for approval must be accompanied by the following information:
- (2) the species, breed, age and gender of the animal or each of the animals for which the approval is sought; and
- (3) the number of animals to be kept; and
- (4) the area, or part of the area, in which the animal or animals are to be kept; and
- (5) the nature of the premises in which the animal or animals are to be kept; and
- (6) details of the proposed keeper's experience and qualifications to conduct the activity; and
- (7) if the applicant is not the owner of the property on which the animals are to be kept, consent in writing of the owner of the property.

#### 4 Additional criteria for the granting of approval

The local government may grant an approval if satisfied that:

- (1) that the land is physically suitable for the keeping of the animals; and
- (2) that the enclosures in which the animals are to be kept are structurally suitable; and
- (3) that the animals are not likely to cause undue nuisance, inconvenience, or annoyance to the occupiers of adjoining land; and
- (4) that the animals will not have a significant detrimental effect on the amenity of the surrounding area; and
- (5) that the animals will not have a significant detrimental effect on the local environment or cause pollution or other environmental damage.

#### 5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

#### 6 Conditions that will ordinarily be imposed on approvals

The conditions of an approval may:

- (a) require the holder of the approval to care for the animals in accordance with appropriate standards; and
- (b) require that the animals be kept in enclosures that comply with specified structural requirements; and

- (c) require the holder of the approval to comply with specified standards of hygiene; and
- (d) require the holder of the approval to ensure that the animal wears or displays an appropriate identifying tag as long as this is not inconsistent with requirements of the *Animal Management (Cats and Dogs) Act 2008*; and
- (e) require the holder of the approval to take specified action to protect against possible harm to the local environment.

**7 Term of approval**

Up to 12 months ending on 30 April each year.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## Schedule 12 Operation of camping grounds

### Section 11

#### 1 Prescribed activity

Operation of camping grounds

#### 2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank.

#### 3 Documents and materials that must accompany applications for approval

Applications for approval must be accompanied by:

- (a) if the applicant is not the owner of the land on which the camping ground is situated, the written consent of the owner to the application; and
- (b) details of the facilities to be provided for campers; and
- (c) details of water quality, reticulation and drainage; and
- (d) an emergency and evacuation plan; and
- (e) a plan, drawn to scale, showing:
  - (i) the location and real property description of the premises; and
  - (ii) the boundaries of the camping ground; and
  - (iii) the division of the camping ground into camping sites drawn; and
  - (iv) the location, number, designation and type of sanitary conveniences and ablutionary facilities; and
  - (v) evidence of any necessary statutory permit, authorisation or approval.

#### 4 Additional criteria for the granting of approval

The local government may grant an approval if satisfied that:

- (a) the camping ground can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (b) all facilities in the camping ground are at an acceptable standard or can be brought to acceptable standard.

#### 5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

#### 6 Conditions that will ordinarily be imposed on approvals

The conditions of an approval may require the holder of an approval to operate a camping ground to:

- (1) keep a register of campers and vehicles including:
  - (a) the name and address of the person hiring the camp site; and
  - (b) the registration details of any vehicles brought onto the site; and
  - (c) arrival and departure dates of persons hiring the camp site; and

- (2) maintain all buildings, structures and facilities provided by the operator on the camping ground in good and serviceable condition; and
- (3) keep the camping ground (including all camping sites) clean and tidy; and
- (4) provide adequate, in the opinion of an authorised person, water supply, toilets, showers and waste facilities for camper; and
- (5) ensure that, if water obtained from a particular water outlet in the camping ground may be unsuitable for drinking, a sign is prominently displayed at the outlet stating “Unsuitable for Drinking”; and
- (6) maintain toilets and bathing or showering facilities for each gender and disabled persons; and
- (7) maintain facilities for disposal of wastes; and
- (8) ensure that the number of persons who may occupy a camping site is not contravened; and
- (9) maintain all bedding and bed linen supplied by the approval holder in a clean and sanitary condition.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## **Schedule 13    Operation of cane railways**

Section 11

*This Schedule has been intentionally left blank.*

## Schedule 14 Operation of caravan parks

### Section 11

#### 1 Prescribed activity

Operation of caravan parks

#### 2 Activities that do not require approval under the authorising local law

This section has been intentionally left blank.

#### 3 Documents and materials that must accompany applications for approval

Applications for approval must be accompanied by:

- (1) if the applicant is not the owner of the land on which the caravan park is situated, the written consent of the owner to the application; and
- (2) details of the proposed resident manager of the caravan park; and
- (3) copies of statutory permits, authorisations or approvals:
  - (a) for the development and use of the relevant land as a caravan park; and
  - (b) for the occupation and use of buildings and structures on the land in connection with the operation of the caravan park; and
- (4) a plan of the proposed caravan park drawn to scale showing:
  - (a) the location and real property description of the land; and
  - (b) the location, number, designation and type of sanitary conveniences; and
  - (c) the location, number, and designation of ablutionary facilities; and
  - (d) details of each site clearly defined and bearing a distinguishing mark or number.

#### 4 Additional criteria for the granting of approval

The local government may grant an approval if satisfied that:

- (1) the proposed resident manager is a suitable person to be manager of a caravan park; and
- (2) the caravan park can be operated in a way which will not cause nuisance, inconvenience or annoyance to the occupiers of adjoining land; and
- (3) all facilities in the caravan park are at an acceptable standard or can be brought to acceptable standard for use by residents.

#### 5 Conditions that must be imposed on approvals

This section has been intentionally left blank.

#### 6 Conditions that will ordinarily be imposed on approvals

The conditions of an approval may:

- (1) require the holder of the approval to:
  - (a) keep a register of persons using the caravan park; and

- (b) maintain all buildings, structures and facilities provided by the operator of the caravan park in good and serviceable condition; and
  - (c) provide adequate water supply, toilets, showers and waste facilities; and
  - (d) keep the caravan park (including all sites) clean and tidy; and
  - (e) not to permit a person to bring onto a site a caravan or other type of accommodation that is not fit for human habitation; and
  - (f) not to hire out part of caravan park for separate occupation; and
  - (g) ensure any supplied bedding is kept in a clean and sanitary conditions and changed whenever the occupier changes; and
- (2) limit the number of persons occupying a site or complementary accommodation; and
  - (3) impose a requirement not to change the sites or structures or facilities in the caravan park without agreement of the local government; and
  - (4) require the manager reside in the caravan park.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## **Schedule 15    Operation of cemeteries**

### **Section 11**

*This Schedule has been intentionally left blank.*

## **Schedule 16    Operation of public swimming pools**

### Section 11

#### **1    Prescribed activity**

Operation of public swimming pools.

#### **2    Activities that do not require approval under the authorising local law**

An approval under the authorising local law is not required for the operation of a public swimming pool if the public swimming pool is:

- (a) on a local government controlled area; or
- (b) a swimming pool made available by the body corporate of a community titles scheme for use by the owners or occupiers of lots in the scheme or their invitees; or
- (c) a swimming pool made available by a camping ground, hotel or motel for use by paying guests and visitors.

#### **3    Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (1) a plan or other information identifying the swimming pool; and
- (2) details of the nature and extent of the public use that is proposed by the applicant, including any training programs intended to be conducted; and
- (3) details of the proposed management and supervision of the swimming pool (including the qualifications and experience of proposed managers and supervisors); and
- (4) if the applicant is not the owner of the land on which the swimming pool is situated, the owner's consent to the application; and
- (5) any necessary statutory permit, authorisation or approval:
  - (a) for the development and use of the relevant land as a public pool; and
  - (b) for the use of buildings and structures on the land in connection with the operation of the public pool.

#### **4    Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that:

- (1) the equipment for chlorination, filtration and recirculation of swimming pool water is adequate to protect public health; and
- (2) the management and supervision of the swimming pool will be adequate to protect public safety and prevent nuisance.

#### **5    Conditions that must be imposed on approvals**

This section has been intentionally left blank.

#### **6    Conditions that will ordinarily be imposed on approvals**

- (1) The conditions of an approval may:

- (2) require the provision of specified equipment for:
  - (a) emergency medical treatment and first aid; or
  - (b) rescue of persons in difficulty; or
  - (c) other aspects of public health and safety; and
- (3) require the erection and display of notices:
  - (a) providing information about basic life saving, resuscitation and first aid techniques; or
  - (b) warning about possible dangers; and
- (4) require the regular testing of the water to ensure that biological contaminants are kept within acceptable levels; and
- (5) require the installation of special equipment for filtering, purifying and recirculating the water; and
- (6) require the operator to maintain dressing rooms and facilities for showering and sanitation; and
- (7) require a certain standard for exterior fencing.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

---

## **Schedule 17    Operation of shared facility accommodation**

Section 11

*This Schedule has been intentionally left blank.*

---

**Schedule 18    Operation of temporary entertainment events**

Section 11

*This Schedule has been intentionally left blank.*

**Schedule 19    Undertaking regulated activities regarding  
human remains— (a) disturbance of human  
remains buried outside a cemetery**

Section 11

*This Schedule has been intentionally left blank.*

**Schedule 20    Undertaking regulated activities regarding  
human remains— (b) burial or disposal of  
human remains outside a cemetery**

Section 11

*This Schedule has been intentionally left blank.*

**Schedule 21     Undertaking regulated activities regarding  
human remains— (c) disturbance of human  
remains in a local government cemetery**

Section 11

*This Schedule has been intentionally left blank.*

## **Schedule 22 Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road**

Section 11

### **1 Prescribed activity**

Undertaking regulated activities on local government controlled areas and roads— (a) driving or leading of animals to cross a road

### **2 Activities that do not require approval under the authorising local law**

An approval under the authorising local law is not required for:

- (a) leading of horses across a road by a member of a horse or pony club; or
- (b) no more than two animals being led by a single person; or
- (c) animals being led or driven pursuant to an approval to operate a commercial activity.

### **3 Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (a) full details of the proposed use of the local government controlled area or road, including location and times; and
- (b) the types and numbers of animals to be lead or driven; and
- (c) details of how the safety of the public will be safeguarded including any traffic control, safety signage, warning notices or other means of alerting other road users of the activity.

### **4 Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that the leading of animals would not unduly interfere with the proper use of the road or create a safety hazard for users of the road.

### **5 Conditions that must be imposed on approvals**

This section has been intentionally left blank.

### **6 Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (a) restrict the times of day that animals may be led across the road; and
- (b) restrict the number of animals that may be driven or led across the road; and
- (c) require compliance with specified safety requirements; and
- (d) require the approval holder to exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area; and
- (e) if the approval relates to an activity on a road, require the approval holder to indemnify the State; and

- (f) require the approval holder to give specified indemnities and to take out specified insurance.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## **Schedule 23 Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials**

Section 11

### **1 Prescribed activity**

Undertaking regulated activities on local government controlled areas and roads— (b) depositing of goods or materials

### **2 Activities that do not require approval under the authorising local law**

This section has been intentionally left blank.

### **3 Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (a) details of the proposed depositing of goods and materials on the local government controlled area or road; and
- (b) details of the time, date and duration of the activity.

### **4 Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that the depositing of goods or materials would not:

- (a) unduly interfere or adversely affect the usual use or the amenity of the road or area; and
- (b) significantly detract from the capacity of the road to provide a vehicular and where relevant pedestrian thoroughfare; and
- (c) constitute a nuisance or a danger to any person or property; and
- (d) obstruct access from the footway to kerbside parking; and
- (e) adversely affect the existing services located in, along, over or adjacent to a road.

### **5 Conditions that must be imposed on approvals**

This section has been intentionally left blank.

### **6 Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (a) require unobstructed movement of vehicles to be maintained; and
- (b) require compliance with specified safety requirements; and
- (c) regulate the time within which the activity must be carried out; and
- (d) regulate the manner in which the goods or materials may be deposited; and
- (e) if the approval relates to an activity on a road, require the approval holder to indemnify the State; and
- (f) require reinstatement of the road to the satisfaction of an authorised person;

and

- (g) require the lodgement of security for performance of any condition of the approval.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## **Schedule 24 Undertaking regulated activities on local government controlled areas and roads— (c) holding of a public place activity prescribed by subordinate local law**

Section 11

### **1 Prescribed activity**

Undertaking regulated activities on local government controlled areas and roads— (c) holding of a public place activity prescribed by subordinate local law, excluding the operation of a temporary entertainment event.

### **2 Activities that do not require approval under the authorising local law**

An approval under the authorising local law is not required for a cake stall, sausage sizzle, school fete or similar fundraising activity held on no more than one day.

### **3 Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (a) full details of the proposed public place activity including:
  - (i) a plan of the venue; and
  - (ii) a detailed statement of the nature of the activity; and
  - (iii) the dates and times the activity will be undertaken; and
- (b) if the applicant is not the owner of the land, the written consent of the owner; and
- (c) if approval of anything to be done under the approval is required under another law, a certified copy or other appropriate evidence of the approval.

### **4 Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that:

- (a) the venue is safe and appropriate for the nature of the activity and for the number of people expected to attend; and
- (b) the event will not unduly interfere with the usual use and enjoyment of the area or road; and
- (c) the event will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and
- (d) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and
- (e) adequate provision will exist for the disposal of refuse generated by the conduct of the event; and
- (f) adequate provision will exist for people and (if relevant) vehicles to enter and leave the event.

**5 Conditions that must be imposed on approvals**

This section has been intentionally left blank.

**6 Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (a) require compliance with specified safety requirements; and
- (b) require the approval holder to exhibit specified warning notices and to take other specified precautions for the safety of users of the road or area; and
- (c) require the approval holder to give specified indemnities and to take out specified insurance; and
- (d) require the operator to provide specified facilities and amenities; and
- (e) regulate the hours of operation of the event; and
- (f) regulate illumination of the event and light spillage from the event; and
- (g) regulate noise emission from the event; and
- (h) require the operator to provide specified equipment, or take specified measures, to reduce adverse effects of the event on the surrounding neighbourhood to acceptable levels; and
- (i) require the lodgement of security for performance of any condition of the approval; and
- (j) if the approval relates to an activity on a road, require the approval holder to indemnify the State.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.

## **Schedule 25 Bringing or driving motor vehicles onto local government controlled areas**

Section 11

### **1 Prescribed activity**

Bringing a motor vehicle onto or driving a motor vehicle on a place that is—

- (a) within a local government controlled area; and
- (b) not within a motor vehicle access area.

*(Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018, section 6(2)).*

### **2 Activities that do not require approval under the authorising local law**

An approval under the authorising local law is not required for:

- (a) access to a local government controlled area by an authorised contractor for the purposes of repairing or maintaining a local government facility; or
- (b) persons holding an approval under another local law permitting the bringing or driving of motor vehicles onto local government controlled areas.

### **3 Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (a) full details of the reasons for bringing the motor vehicle onto the local government controlled area; and
- (b) the date and time and duration of bringing the motor vehicle onto the area; and
- (c) the parts of the area where the motor vehicle will be driven; and
- (d) the type of motor vehicle to be driven.

### **4 Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that:

- (a) the vehicle access is required for:
  - (i) construction, repair and maintenance work within the local government controlled area; or
  - (ii) access to a temporary entertainment venue for which the applicant has received approval under another local law; or
  - (iii) the purposes of commercial use of the local government controlled area for which the applicant has received approval under another local law; or
  - (iv) holding a celebration, ceremony or competition for which the applicant has received approval under another local law; and
- (b) the vehicle access will not unduly interfere with the usual use and enjoyment of the area; and
- (c) the vehicle will not impact on the natural resources and native wildlife of the

area; and

- (d) the vehicle will not cause damage to the area; and
- (e) the vehicle will not generate significant noise or dust or other significantly adverse effects on the surrounding neighbourhood.

## **5 Conditions that must be imposed on approvals**

This section has been intentionally left blank.

## **6 Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may provide that:

- (a) the approval will be valid only for the dates specified in the approval; and
- (b) the approval will be valid only for the specific vehicle or type of vehicle specified in the approval; and
- (c) the approval is not transferable; and
- (d) the approval holder will respect any speed limits specified in the approval; and
- (e) the approval holder will comply with any restrictions specified in the approval regarding the parts of the local government controlled area that may be accessed by vehicle; and
- (f) the approval must be displayed on the dashboard of the vehicle while it is within the local government controlled area; and
- (g) the approval holder must have regard for the safety of other users of the local government controlled area; and
- (h) the approval holder must give 24 hours' notice of the vehicle access to affected neighbours of the area; and
- (i) the approval holder will be liable to pay the local government the cost of rectifying any damage caused by the use of the vehicle in the area.

## **7 Term of approval**

This section has been intentionally left blank.

## **8 Term of renewal of approval**

This section has been intentionally left blank.

---

**Schedule 26    Bringing or driving prohibited vehicles onto  
motor vehicle access areas**

Section 11

*This Schedule has been intentionally left blank.*

---

**Schedule 27    Use of bathing reserves for training,  
competitions etc**

Section 11

*This Schedule has been intentionally left blank.*

**Schedule 28    Parking contrary to an indication on an  
official traffic sign regulating parking by  
time or payment of a fee**

Section 11

*This Schedule has been intentionally left blank.*

---

**Schedule 29    Parking in a loading zone by displaying a  
commercial vehicle identification label**

Section 11

*This Schedule has been intentionally left blank.*

## **Schedule 30 Carrying out works on a road or interfering with a road or its operation**

Section 11

### **1 Prescribed activity**

Carrying out works on a road or interfering with a road or its operation (Local Government Act 2009, section 75(2)).

### **2 Activities that do not require approval under the authorising local law**

This section has been intentionally left blank.

### **3 Documents and materials that must accompany applications for approval**

Applications for approval must be accompanied by:

- (a) full details of the proposed works on the road or interference with its operation; and
- (b) if the applicant proposes to erect or install a structure on, over or under the road, plans and specifications of the structure; and
- (c) details of building or other work to be carried out under the approval.

### **4 Additional criteria for the granting of approval**

The local government may grant an approval if satisfied that the application includes adequate measures to minimise the interference with the usual use of the road and protect public health and safety.

### **5 Conditions that must be imposed on approvals**

This section has been intentionally left blank.

### **6 Conditions that will ordinarily be imposed on approvals**

The conditions of an approval may:

- (a) require the holder to ensure that the works or activity do not, in the opinion of an authorised person:
  - (i) significantly detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare; and
  - (ii) significantly cause a nuisance or danger to any person or property; and
  - (iii) adversely affect existing services located in, on, over or adjacent to the road;
- (b) require compliance with specified safety requirements; and
- (c) require the approval holder to give the local government specified indemnities; and
- (d) require the approval holder to take out specified insurance indemnifying persons who may suffer personal injury, or loss or damage, as a result of the work; and
- (e) require the approval holder to maintain structures erected or installed, or vegetation planted, under the approval in good condition; and

- (f) require the approval holder to remove a structure erected or installed under the approval at the end of a stated period.

**7 Term of approval**

This section has been intentionally left blank.

**8 Term of renewal of approval**

This section has been intentionally left blank.